IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 685/2005

RAMDAYAL @ BILLU & ORS. Vs. STATE OF RAJASTHAN

DATE: 19.02.2007.

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. Anurag Sharma for the accused-petitioners.
Mr. Ashwani Kumar Sharma, PP for the State

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This revision petition under Section 397 r/w Section 401 Cr.P.C. is directed against the order dated 06.07.2005 passed by the Additional Sessions Judge (Fast Track), Hindaun City, District Karauli in Sessions Case No. 20/2005, whereby charges have been framed against the petitioner Nos. 1 to 4 under Sections 148, 307/149, 323, 323/149 and 395 IPC and against the petitioner No.5 under Sections 148, 307, 323, 323/149 and 395 IPC.

The main contention of the learned counsel for the petitioners is that the injuries inflicted on the complainant are not dangerous to life and there was no intention on the part of the accused-petitioners to cause his death. It is also submitted that the Court below has not considered the facts and without

considering the contentions raised on behalf of the petitioners and the ratio decided by this Court in the case of **Ram Lal & Ors. Vs. State of Rajasthan, reported in 2004 WLC (Raj.) UC 355,** has framed the aforementioned charges against the accused-petitioners.

Upon careful perusal of the relevant record as well as the injury reports, medical reports and after considering the submissions made at the bar and the facts and circumstances of the case, I deem it proper to dispose of the present revision petition with the observation that if the petitioners make an application for amendment of the charges under Section 216 Cr. P.C., the learned trial Court shall consider the same and dispose of it by a speaking order keeping in view the law laid down in the aforesaid authority.

Record be sent back forthwith.

(K.S. RATHORE),J.

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